

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GUILLERMO ABERADO,

Plaintiff,

– *against* –

THE CITY OF NEW YORK ET AL.,

Defendants.

**ORDER**

23-cv-4266 (ER)

Ramos, D.J.:

Guillermo Aberado, who is incarcerated, brought this action on May 23, 2023. Doc. 1. A case management plan was signed on September 1, 2023. Doc. 13. On January 4, 2024, Defendants filed a letter motion to compel Aberado to respond to Defendants’ discovery requests. Doc. 14. That same date, Aberado’s counsel filed a letter stating that he had sent Aberado a second set of Defendants’ discovery requests and had asked Aberado to return them to him. Doc. 15.

In light of the representations made by Aberado’s counsel, the Court directed the parties to submit a joint status update by February 5, 2024. Doc. 16. In that status update, Aberado’s counsel informed the Court that he had still not received Aberado’s responses. Doc. 19. The Court directed the parties to submit a second joint status update by February 20, 2024. Doc. 20. In the second joint status update, Aberado’s counsel informed the Court that despite his attempts to contact the plaintiff, he still has not heard from Aberado or his family. Doc. 21.

Aberado is therefore instructed to respond to the discovery requests by no later than April 22, 2024. Failure to do so may result in a dismissal for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

It is SO ORDERED.

Dated: February 21, 2024  
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

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EDGARDO RAMOS, U.S.D.J.